

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION**

Austin Carter, #400700,	)	
	)	Case No. 1:15-cv-00090
Plaintiff,	)	Chief Judge Kevin H. Sharp
	)	Magistrate Judge E. Clifton Knowles
v.	)	Jury Trial Demanded
	)	
Corrections Corp. of America, <i>et al.</i> ,	)	
	)	
Defendants.	)	

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**DEFENDANTS SCHOFIELD, PARKER AND WOODALL'S  
STATEMENT OF MATERIAL FACTS**

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Defendants Derrick Schofield, Tony Parker and Jason Woodall, submit the following statement of material facts in support of their motion for summary judgment.

1. Since his incarceration with the TDOC, the plaintiff has filed three grievances in accordance with the procedures set forth in the applicable TDOC policy. (Affidavit of Benjamin F. Bean, ¶ 3).

**Response:**

2. Even those grievances deemed inappropriate to the grievance process, have been processed to the highest level of appeal, the Commissioner or his designee. (TOMIS Grievance Records, attached to the Affidavit of Benjamin F. Bean).

**Response:**

3. The plaintiff's grievances numbered 00293856 and 00288519 were deemed inappropriate to the grievance process because they dealt with a medical diagnosis and the prison classification system. (TOMIS Grievance Records, attached to the Affidavit of Benjamin F. Bean).

**Response:**

4. The plaintiff's grievances numbered 00293856 and 00288519 were both processed to the highest level of appeal, and documented in the plaintiff's Tennessee Offender Management Information System (TOMIS) record. (Affidavit of Benjamin F. Bean, ¶ 3; TOMIS Grievance Records, attached to the Affidavit of Benjamin F. Bean).

**Response:**

5. Plaintiff's grievance number 00293856, "HSV Health Services," was filed on September 8, 2015. (TOMIS Grievance Records, attached to the Affidavit of Benjamin F. Bean).

**Response:**

6. Grievance ID 00293856 did not relate to defendants Schofield, Parker or Woodall, or the allegations made against them in this lawsuit. (See Certified Grievance Documents for Grievance ID 00293856, attached to the affidavit of Benjamin F. Bean).

**Response:**

7. Plaintiff's grievance number 00288519, "COS Counseling Staf [sic]," was filed on April 15, 2015, and does not name defendants Schofield, Parker or Woodall, nor does it address the allegations made against them in this lawsuit. (See Certified Grievance Documents for Grievance ID 00288519, attached to the affidavit of Benjamin F. Bean).

**Response:**

8. Plaintiff's grievance number 00281928, "MNT Maintenance," was filed on October 1, 2014, and does not mention defendants Schofield, Parker or Woodall and does not relate to any of the claims made against these defendants. (See Certified Grievance Documents for Grievance ID 00281928, attached to the affidavit of Benjamin F. Bean).

**Response:**

Respectfully submitted,

HERBERT H. SLATERY III, BPR #9077  
Attorney General & Reporter

s/ Jennifer L. Brenner  
JENNIFER L. BRENNER, BPR #022692  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 15, 2016, a copy of the foregoing Defendants Schofield, Parker and Woodall's Statement of Material Facts was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. A copy has been served by regular U.S. mail upon:

Austin Carter, #400700  
South Central Correctional Facility  
555 Forrest Avenue  
P.O. Box 279  
Clifton, Tennessee 38425-0279

s/ Jennifer L. Brenner  
Jennifer L. Brenner  
Senior Counsel